

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2023, Legislative Day No. 20

Bill No. 87-23

Mr. Mike Ertel, Councilman

By the County Council, November 6, 2023

A BILL
ENTITLED

AN ACT concerning

Rental Housing Licenses – Notification of Occupancy

FOR the purpose of requiring a landlord to notify the County in writing of the occupancy status of a licensed dwelling unit; requiring the notice to contain certain information of the occupants; instituting a continuing obligation of a rental housing licensee to update the County regarding changes to occupant information provided to the County; requiring that certain information collected be confidential unless disclosure is otherwise required under State law; establishing that intentionally providing false or misleading information regarding certain occupant information is grounds for the denial, suspension, or revocation of a rental license; and generally relating to rental housing.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments.

Sections 35-6-108 and 35-6-110(a)
Article 35 – Buildings and Housing
Title 6 – Rental Housing Licenses
Baltimore County Code, 2015

WHEREAS, the purpose of the Rental Housing title is to create an additional procedure for the enforcement of county codes and regulations in order to protect and promote the public safety, health, and welfare; and

WHEREAS, the rental housing license program seeks to reverse the physical decline of areas of the County that have a high number of rental properties, older rental properties, high crime rates, or experienced a significant shift from single family owner-occupied homes to multiple family rental properties; and

WHEREAS, many previously owner-occupied homes in neighborhoods and communities in the County, particularly those in proximity to college campuses, have seen significant turnover to investment purchasers and increases in the number of rental properties, specifically those with unrelated renters that operate illegally as boarding and rooming houses according to the definition set forth in the Baltimore County Zoning Regulations without required County approvals and use permits; and

WHEREAS, the County Council recognizes that the Department of Permits, Approvals, and Inspections is in need of statutory authority to collect and hold certain information as to the identity of residents in rental properties and to inspect rental properties so as to properly regulate these properties and fulfill the stated purpose and goals of the Rental Housing title; now therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 35 – BUILDING AND HOUSING

5 Title 6 – Rental Housing Licenses

6
7 § 35-6-108. Same – Term and Renewal.

8 (a) (1) THIS SUBSECTION DOES NOT APPLY TO A LICENSE FOR A
9 DWELLING UNIT IN:

10 (I) DWELLINGS WITH 7 OR MORE DWELLING UNITS; OR

11 (II) APARTMENT COMPLEXES.

12 (3) WITHIN 30 DAYS OF RECEIVING A LICENSE UNDER THIS TITLE,
13 THE LICENSEE SHALL NOTIFY THE DEPARTMENT IN WRITING THAT EITHER:

14 (I) THE DWELLING UNIT IS NOT OCCUPIED; OR

15 (II) THE DWELLING UNIT IS OCCUPIED.

16 (4) IF THE DWELLING UNIT IS NOT OCCUPIED, THE LICENSEE SHALL
17 CONTINUE TO SEND WRITTEN NOTIFICATION EVERY 30 DAYS THEREAFTER
18 UNTIL THE DWELLING UNIT IS OCCUPIED.

19 (5) IF THE DWELLING UNIT IS OCCUPIED, NOTICE SHALL:

20 (I) BE ON A FORM REQUIRED BY THE DIRECTOR; AND

21 (II) INCLUDE A STATEMENT BY THE LICENSEE ATTESTING TO
22 THE TRUTH OF THE INFORMATION PROVIDED IN THE NOTICE.

23 (6) THE NOTICE UNDER PARAGRAPH (5) OF THIS SUBSECTION

1 SHALL:

2 (I) STATE WHETHER THE DWELLING UNIT IS OR IS NOT IN A
3 BOARDING OR ROOMING HOUSE AND, IF IT IS IN A BOARDING OR ROOMING
4 HOUSE, INCLUDE A COPY OF THE USE PERMIT;

5 (II) STATE THE FULL NAME OF EACH ADULT AUTHORIZED BY
6 NAME IN A LEASE TO OCCUPY THE DWELLING UNIT;

7 (III) PROVIDE CONTACT INFORMATION FOR EACH ADULT
8 STATED UNDER SUBPARAGRAPH (II) OF THIS SUBSECTION; AND

9 (IV) IF MORE THAN 2 ADULTS ARE STATED UNDER
10 SUBPARAGRAPH (II) OF THIS SUBSECTION, PROVIDE THE FAMILIAL
11 RELATIONSHIPS, IF ANY, BETWEEN THOSE ADULTS.

12 (7) THE LICENSEE SHALL NOTIFY THE DEPARTMENT IN WRITING OF
13 A CHANGE TO ANY INFORMATION IN THE NOTICE PROVIDED UNDER
14 PARAGRAPH (5) OF THIS SUBSECTION WITHIN 30 DAYS.

15 (8) UNLESS DISCLOSURE IS OTHERWISE REQUIRED UNDER STATE
16 LAW, ALL INFORMATION RECEIVED BY THE COUNTY UNDER THIS SUBSECTION
17 IS CONFIDENTIAL.

18 (B) Unless a license is renewed for a 3-year term as provided for in this section, the
19 license expires on the third anniversary of its effective date.

20 [(b)] (C) Before a license expires, the licensee may periodically renew it for an
21 additional 3-year term, if:

22 (1) The licensee otherwise is entitled to be licensed;

23 (2) The licensee pays to the Director the renewal fee for the dwelling unit

1 established as provided for in § 3-1-202 of the code; and

2 (3) The licensee submits to the Director a renewal application on the form that
3 the Director provides.

4 [(c)] (D) The Director shall renew the license of each licensee that meets the
5 requirements of this title.

6
7 § 35-6-110. Same – Denials, Suspensions, and Revocations; Grounds.

8 (a) The Director may deny a license to an applicant or suspend or revoke a license if the
9 applicant or licensee:

10 (1) Fraudulently or deceptively obtains or attempts to obtain a license for the
11 applicant or licensee or for another person;

12 (2) Fraudulently or deceptively uses a license;

13 (3) Violates this title;

14 (4) Violates a regulation adopted under this title;

15 (5) Fails to correct a final order issued under Article 3, Title 6 of the code; [or]

16 (6) Fails to comply with any of the requirements of § 35-6-106 of this subtitle;

17 [or]

18 (7) Except as provided in subsection (b) of this section, refuses to allow an
19 inspection of the dwelling unit by the Department;

20 (8) Fails to comply with any of the requirements of Title 3, Subtitle 4 of this
21 article; OR

22 (9) INTENTIONALLY PROVIDES FALSE OR MISLEADING
23 STATEMENTS OR INFORMATION IN THE NOTICE REQUIRED UNDER § 35-6-108(A)

1 OF THIS SUBTITLE.

2
3 SECTION 2. AND BE IT FURTHER ENACTED, that within 120 days of the effective
4 date of this Act the Department of Permits, Approvals, and Inspections, in consultation with the
5 Office of Law, shall issue regulations governing the collection, storage, security, internal access
6 and usage, retrieval, external disclosure or inspection, and disposal of information received under
7 this Act that conforms to all applicable federal and State privacy and public information laws and
8 shall not collect any such information until 30 days after final adoption of the regulations.

9
10 SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect 14 days
11 after its enactment.